

Notice of Allowability

Application No.

09/740,515

Examiner

Beth Van Doren

Applicant(s)

KROTKI, KAROL P.

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications of 03/06/2007.
2. ☒ The allowed claim(s) is/are 1-4, 7, 9 and 10.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Beth Van Doren
Beth Van Doren
AU 3623
Primary Examiner

DETAILED ACTION

1. The following action is a response to the communications of 03/06/2007. Claims 1 and 7 have been amended. Claim 8 has been canceled. Claims 1-4, 7, and 9-10 are now pending in this application and are allowed. This action includes a statement of reasons for allowance

Reasons for Allowance

2. Claims 1-4, 7, and 9-10 are allowed.

3. The following is an examiner's statement of reasons for allowance: None of the prior art of record, taken individually or in any combination, teach, inter alia, selecting additional members from survey panel by determining an interval value that is equal to a summation of the adjusted weights of the remaining members of the available survey panel divided by the number of the additional members to be selected, determining a cumulative weight for each of the remaining members of the available survey panel, the cumulative weight of each particular remaining member being determined by a summation of the weight of the particular remaining member and the weights of other remaining members whose ID numbers are smaller than the ID number of the particular remaining member, and choosing the additional members from the remaining members, each of the additional members having a cumulative weight that matches the sum of the random number and an integer multiple of an interval value.

The prior art references most closely resembling the Applicant's claimed invention are Decision Analyst, Inc. (www.decisionanalyst.com), Probability Definitions (stat.wvu.edu/SRS/modules/ProbDef/urn.html), and Morin (*Lights Out for Traditional Polls?*).

Decision Analyst, Inc. specifically discusses building balanced, representative panels that match the demographic profile of the US or the relevant target market. This sampling is done

Art Unit: 3623

across multiple variables using a sampling system and the composition of the sample chosen is checked against target demographics to see if weighting needs to occur. Decision Analyst, Inc. further discusses that when a first group of members is selected, the members are removed from eligibility. Thus, the number of potential members for future panels reduces with time, giving the remaining members a higher weight of being selected since the number in the pool is decreased. However, Decision Analyst, Inc. does not expressly disclose at least assigning an identification (ID) number to the remaining members of the survey or determining a cumulative weight for each of the remaining members of the available survey panel, the cumulative weight of each particular remaining member being determined by a summation of the weight of the particular remaining member and the weights of other remaining members whose ID numbers are smaller than the ID number of the particular remaining member.

Probability Definitions teaches sampling without replacement, where once a member is selected in a sample, that member is not returned to the pool. The selection probabilities are changed to compensate for removal of a member of a population and fractional proportions are used to show the weight of each member selected. Thus, the probability of selecting the remaining members in the pool is increased based on this removal. However, Probability Definitions does not expressly disclose at least assigning an identification (ID) number to the remaining members of the survey or determining a cumulative weight for each of the remaining members of the available survey panel, the cumulative weight of each particular remaining member being determined by a summation of the weight of the particular remaining member and the weights of other remaining members whose ID numbers are smaller than the ID number of the particular remaining member.

Art Unit: 3623

Morin teaches using quota sampling techniques in polling in order to produce a sample that is representative of a given population. For example, if there are more men in this country than women, more women are selected in the sample so that the sample is representative. Further, characteristics such as education, race, income, and region are also used for the purpose of quota sampling. However, Morin does not disclose the specific details of how quota sampling is implemented, and thus Morin does not expressly disclose selecting additional members from survey panel by determining an interval value that is equal to a summation of the adjusted weights of the remaining members of the available survey panel divided by the number of the additional members to be selected, determining a cumulative weight for each of the remaining members of the available survey panel, the cumulative weight of each particular remaining member being determined by a summation of the weight of the particular remaining member and the weights of other remaining members whose ID numbers are smaller than the ID number of the particular remaining member, and choosing the additional members from the remaining members, each of the additional members having a cumulative weight that matches the sum of the random number and an integer multiple of an interval value.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement for Reasons for Allowance".

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Benderev (U.S. 2004/0133463) discloses sampling and surveying techniques to survey a representative sample of a segment.

Smith, Jr., et al. (U.S. 2002/0128898) discloses assigning surveys to respondents and using demographic, lifestyle, behavioral, and interest groups to target a survey or selecting a representative sample to target a survey.

Kupersmit (U.S. 2002/0016731) teaches sampling techniques to select a panel of respondents for a survey.

Dashefsky et al. (U.S. 6,098,048) discloses statistical quota sampling techniques used to ensure a representative panel.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is 571-272-6737. The examiner can normally be reached on M-F, 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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May 15, 2007

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